

1 CHAIR JAMES: We are going to follow the same format
2 that we used in the first discussion. We will have John Shosky
3 frame the issue, open it up for discussion, and then John will
4 sort of recap for us any consensus or areas of disagreement that
5 he has identified, as we have gone through the discussion. John?

6 DR. SHOSKY: Thank you, Madam Chair.

7 As you know, if you have looked at this, this is more
8 of an outline than a chapter. And I guess I'm the person
9 responsible for that. I actually wrote this several weeks ago,
10 and as time has gone on I felt that there were some things that I
11 just didn't feel as confident about as I probably should.

12 So as I go through this I would like to identify some
13 of those areas, and let you know where I would like more
14 guidance, but also where there is a potential for contradictory
15 information in other chapters.

16 I think you know the issue well enough from all of the
17 testimony that we have heard, and I have tried to frame the issue
18 at the beginning of that chapter, the historical background of
19 the pari-mutuel industry, the economic benefits of the industry,
20 and also the market's share of the industry, as well.

21 There is a current issue with this industry that also
22 branches over to greyhounds and others, and that is whether or
23 not the pari-mutuel industry should, in a sense, be transformed
24 into pari- mutuel industry and something else.

25 And as you will remember from the testimony at Del Mar
26 and elsewhere, there seems to be a division within the industry
27 about whether or not to make the tracks into pseudo-casinos, or
28 something like that.

29 Interestingly in the last few days this surfaced again
30 in the state of Maryland. It is a development that we have been

1 keeping a really close eye on. As you know from the newspapers
2 the governors brokered a deal to help the pari-mutuel industry
3 there by taking some of the lottery money and investing it in the
4 industry with the promise that the industry won't push for slots
5 at the tracks.

6 And that issue, that whole scenario, is very
7 characteristic of the kinds of things that we are trying to
8 explore in this chapter. So there is that as one gigantic issue
9 in the horizon.

10 There is a second gigantic issue on the horizon, and
11 that is the one that I feel less than confident about, based not
12 on lack of information, but as you will note from the Internet
13 chapter, maybe based on too much information.

14 And that is the range of uses of technology in terms of
15 the pari-mutuel industry, and what that means. I know you are
16 all familiar with off-track betting. But what I'm talking about
17 are things like the use of this new technology where you can
18 actually bet in your own home, and one state is looking into that
19 right now with this television gaming network.

20 And I don't claim to be an expert on this, and I know
21 this is something that a great deal of time has been spent on in
22 the Internet chapter, in the Internet subcommittee. And I think
23 that the discussion that is coming out of there is much more
24 important than the one that I had.

25 As well there is issues concerning common pool
26 wagering, and account wagering, other issues that are branching
27 off into the various issues that are being covered, as well, in
28 the Internet chapter.

1 So I think there is cross referencing, and there is the
2 problem of contradiction, if we are not careful, between those
3 two chapters.

4 Finally, I would just like to, in terms of the chapter,
5 I would like to highlight something that I'm curious about. I'm
6 not quite sure how to deal with it, or even if I have to.

7 And that is a question that branches back into the
8 regulation discussion. I know that in some states the regulation
9 of horse racing is by a different body than casinos. And if I'm
10 not mistaken, which I could be, in some states one body regulates
11 both.

12 And I was wondering if there is anything that we wanted
13 to say about division of authority, or centralization of
14 regulatory authority within one state for this issue, for
15 lotteries, casinos, and other types of legal gaming.

16 COMMISSIONER LEONE: I do think that this is a tough
17 chapter because the most interesting policy questions about
18 pari-mutuel betting today are not so much about pari-mutuel
19 betting, but about what it will turn into.

20 I think John is right about developments in a few
21 states where they compete with other kinds of gambling, they have
22 been permitted to introduce new forms of gambling.

23 In my own state, New Jersey, the need to keep the
24 racetracks competitive was used as the justification for a
25 referendum last year that turned out, actually, to eliminate the
26 previous necessity to go to referendum and introduce any kind of
27 gambling anywhere, besides what is already in existence.

28 So it has, this movement can have broad consequences.
29 And I also read somewhere that seven or eight states, six or
30 seven states are moving in the direction of this telephonic

1 gambling with major corporations like AT&T and news corporations
2 involved, which could be a dramatic development, and it is not
3 really an Internet, necessarily, development.

4 So I think John is right, there is a lot of overlap.
5 But I think there will just have to be in this case. I don't see
6 how we can address pari-mutuel betting for the horse racing
7 industry without discussing these other issues, which just happen
8 to be at our horse racing.

9 I have my own theory about why that is true, but it
10 could be, you know, it could be bingo that -- where we were
11 arguing about whether we need slot machines because not enough
12 people are coming to play bingo, or if we need to be able to let
13 people play bingo at home, so they can do it telephonically to
14 keep it competitive.

15 So it happens to be horse racing, and I think I'm right
16 about that. Are there other issues? I wish Terry was here,
17 because he knows the most about this. Other issues in the horse
18 racing area that are particularly important for the Commission to
19 address?

20 COMMISSIONER BIBLE: Well, I think when we look at
21 pari-mutuel we have to look at, obviously, the dominant form of
22 pari-mutuel activities in the horse racing arena. We also have
23 dog racing, and we also have Jai-Alai in some states.

24 Nevada has a small sports pari-mutuel which is kind of
25 in an embryonic and experimental stages, which has not been very
26 successful in terms of pari-mutuel activity. I think we have to
27 talk about all three of the activities that are widespread in the
28 United States, and that would be horses, dogs, and Jai-Alai.

1 I think you captured the issues correctly. One is the
2 technology of making the wager, and under the technology break
3 down common pool wagering, which is fairly active.

4 Right now you can place bets at various tracks around
5 the United States, as long as it is legal in the state that you
6 are making the bet. You can probably go to a track or an
7 off-track facility and make a bet for a race that is in New York,
8 or in Florida, or in California.

9 Similarly in California you can go to an off-track
10 betting facility that is typically located, in California's
11 example, it is located at a state fair facility, where it is run
12 part of the year and has horse races.

13 So the pattern breaks down, but there is a whole
14 variety of technology type issues to deal with account wagering,
15 the use of telephone lines to transmit the wagering data, and the
16 wagers themselves, proposals to use the Internet as a technology
17 means.

18 John mentioned one state, and I believe it is probably
19 Kentucky, that is allowing home wagering on an experimental
20 basis, where they are bringing signals into the home, and you can
21 actually do account wagering by watching some sort of device that
22 is interacting with the television. And that technology is
23 available now.

24 CHAIR JAMES: So would you identify technology as one
25 of the major issues that is --

26 COMMISSIONER BIBLE: I think that is one of the major
27 issues. And the other one is kind of keeping up with the Joneses
28 issues, I would characterize it, where the -- where all of the
29 tracks are, because of decreasing handle, and I think you can
30 attribute that to a number of factors, one is probably the

1 movement of our society from agrarian society to an
2 industrialized society, people don't have association with
3 horses, and horse racing, as they did in the past. So it is not
4 -- that is part of the cultural heritage.

5 But it is caused decreasing handles, and I think the
6 other is the growth of lotteries at the state level, because the
7 competitive aspect is the use of dollars in the wagering public.
8 So there has been quite a clamor amongst the operators of these
9 various facilities, because there are places where people go to
10 gamble, to engage in other forms of gambling.

11 CHAIR JAMES: So what do you want to say about that?

12 COMMISSIONER BIBLE: Well, explain the situation, and
13 then as to what you said, and in New Mexico is a pretty good
14 example, where they legalized slot machines, and the basis of
15 legalization was that the state was compelled to enter into
16 compacts with tribes, and ordered the tribes slot machines, so
17 the racing industry said, me too. Same thing with Del Mar in
18 terms of the arguments.

19 My personal opinion is that we take care of the
20 Internet aspect, in terms of the Internet aspect in the report,
21 and prohibit using the Internet for any of these forms of
22 communication.

23 I think the technology, and I don't see any particular
24 problem leaving it in place where it currently is, you can use
25 the technology from the states that are making the decision to
26 allow pari-mutuel wagering activities to continue to do common
27 pooling.

28 Technology, usually telephone and common pooling kind
29 of go in side by side. I think account wagering becomes a little
30 bit more problematic as to whether you allow account wagering.

1 This would, in fact, allow you to continue -- as to pari-mutuel
2 wagering, this allows you to call the state of New York, have an
3 account with the track, via your credit card mechanism, and then
4 access that account over the telephone, as to whether -- to what
5 extent you allow that kind of activity and expansion of it.

6 I'm concerned about the expansion of the activity into
7 the home environment. I think we need to make a statement about
8 that.

9 CHAIR JAMES: Expansion of these kinds of activities
10 into the home environment.

11 COMMISSIONER LEONE: I think, I hate to say this,
12 because you know, sometimes horses are better than people, and I
13 like the green farms, and I know racing does provide employment,
14 but I think if we are going to say anything about what we think
15 is going on with horse racing, I think we would be better off
16 saying that we don't believe there is any justification for not
17 letting it die a natural death, if that is what is going on.

18 This is an -- this violates most of the principles by
19 which we make decisions about what is appropriate activity for
20 government, or appropriate activity to encourage. I mean, the
21 market is saying, and I think the culture, so I think we have a
22 kind of national ADD, attention deficit disorder, and horse races
23 take a long time to get off, that people don't want to do this
24 anymore.

25 And to say to save it we therefore have to permit them
26 to do other things that we restrict in other ways, that is what I
27 said when the racing people were here.

28 I think it is just not justified. By that standard,
29 any failing business could be -- could come in and make the case
30 to the government, you ought to let us have slot machines, you

1 know, we are being driven out of business by A&P, local grocery
2 stores. But if the local grocery stores had, or Barnes & Noble
3 is not the -- I like local bookstores, I like the little
4 bookstores that used to exist in Princeton and don't anymore.

5 COMMISSIONER BIBLE: "You've Got Mail."

6 COMMISSIONER LEONE: Now there is a Barnes & Nobles,
7 now there is a Borders, and there is Amazon. And if the local
8 bookstores would come to the states and say, you know, if we had
9 slot machines we could compete with Barnes & Noble, we would have
10 laughed.

11 And I think, I mean I'm sympathetic to the demise of
12 this culture, if you will, and to the fact that other things --
13 but these decisions, if you wanted to have slot machines, or
14 other forms of gambling, at a race track, then you ought to make
15 a decision that we want to legalize a casino or some other
16 activity on that location, if you want to favor the current
17 owners, fine, we favor the current owners in other ways.

18 And as far as this being a justification for expanding
19 electronic gambling, which we are generally opposed to, it makes
20 no sense to me. I hope other Commissioners agree, because if
21 they do, I think we should say that.

22 CHAIR JAMES: Anybody want to respond to that? John?

23 COMMISSIONER WILHELM: Yes, I

24 CHAIR JAMES: Yes. I agree with the last part of that,
25 but not the first part. I think that the analogy with the local
26 bookstores, whose demise I likewise regret, being a person who
27 hangs around bookstores.

28 The analogy is, to put it mildly from my perspective,
29 inappropriate, for the simple reason that racetracks that have
30 pari-mutuel gambling have, by definition, been designated by the

1 state in which they are as a place for gambling, which is not
2 true of bookstores, or other places.

3 So I would disagree with Richard to that extent. I
4 share Richard's view, to this extent; that the argument that
5 because pari-mutuel gambling is in decline, therefore there
6 should be slot machines at race tracks, to me is a completely
7 illogical argument.

8 And I think that to the extent that anybody makes that,
9 I think it poorly serves the -- let me rephrase that. To the
10 extent that anybody makes that argument from the gaming industry,
11 I think it contradicts what I believe is the pari-mutuel
12 industry's best argument on behalf of itself, and that is the
13 unique relationship that it has with agriculture and open space
14 preservation, which obviously has nothing to do with the slot
15 machines.

16 And I think the fact that there is disagreement within
17 the industry about the appropriateness of additional slot
18 machines to race tracks is emblematic of that difficulty.

19 I would agree with Richard that if a state decides to
20 put slot machines at race tracks, they ought to face up to the
21 fact that they are going to legalize a casino, and that ought to
22 be the policy decisions that they are making.

23 By the same token, however, I could easily understand a
24 state making that policy decision, because that is an area, that
25 is a racetrack is a physical site which has, in most cases, long
26 since been satisfied as a place for gambling.

27 So if a state decides to expand casino gambling, my own
28 view is that it makes a great deal more sense to expand it in a
29 race track, than it does to open up some new venue.

1 So I would agree that the mere argument that the fact
2 that pari-mutuel tracks may be failing, and therefore they should
3 have slots, is a nonsensical argument.

4 And I would also agree that as a matter of policy if
5 the state wants to make a casino out of a racetrack, it ought to
6 realize that is what it is doing. I don't think there is
7 anything inappropriate about it, to the extent that the state
8 does want to maintain the gambling.

9 In fact, I think it makes a lot of sense, as I said,
10 because it is a place where gambling, by state policy, already
11 exists.

12 CHAIR JAMES: Jim?

13 COMMISSIONER DOBSON: I'm sure it won't come as a shock
14 to anybody that I would be strongly opposed to the casinos being
15 expanded into the pari- mutuel arena.

16 The press media has reported, since the beginning of
17 this Commission, that I came here with a lack of objectivity.
18 And to a degree that is correct. And the reason is because of
19 the mail and the responses that we get at my organization,
20 250,000 letters and phone calls a month, from people who have
21 been wounded and hurt by gambling. And that is the source of my
22 opposition.

23 And in that regard the greatest concern, the reason I
24 accepted the assignment on this Commission, is the proliferation
25 of gambling across the country.

26 I didn't see a lot of that kind of concern when it was
27 a destination type activity, where people set aside some money
28 and went to Las Vegas, or Atlantic City, and lost that money in
29 most cases, and came home and felt like they had had a vacation.

1 My great concern is when it is in your face, and in the
2 faces of your kids, and in your neighborhood, and in any kind of
3 expansion of that activity.

4 And this would have that effect, obviously, to make
5 casinos out of all the pari-mutuel places. And so I would hope
6 that we would make a statement about that, and recommend strongly
7 that casinos not be put in the horse racing venue.

8 CHAIR JAMES: John?

9 COMMISSIONER WILHELM: I understand, and very much
10 respect Jim's overall views on the gambling industry, and its
11 expansion. And within that, one of the things that I think that
12 I have found that I very much agree with Jim on is the, again,
13 understanding his overall view, is the comments he just made
14 about the difference between somebody deciding to go to Las
15 Vegas, or some other destination gambling venue for the purpose
16 of taking a vacation, or whatever else takes them there, and then
17 returning again.

18 I agree with Jim there is a big difference between that
19 and having gambling on every street corner in America. That is
20 why I have previously expressed my own reservations about what we
21 have been calling convenience gambling, if by that we mean legal
22 gambling in grocery stores and things like that.

23 So I agree with those comments. And the only thing I
24 wanted to add is, again, to me if a state decides to expand
25 casino gambling, I think there is a lot of merit in thinking, in
26 a state considering pari- mutuel locations as a place to do that,
27 simply because those are already long-standing established venues
28 for gambling.

1 So I think that it is quite logical. Again, I agree
2 with Richard's comment that the state ought to face up to what it
3 is doing, if it is doing that.

4 COMMISSIONER DOBSON: John, if I could comment? You
5 made reference to the fact that state agencies have approved
6 these facilities for that form of gambling. But they did not
7 have to approve, in the beginning, those facilities for casino
8 gambling, and I'm not sure they would have been able to get that
9 approval.

10 I lived, for 19 years, in Acadia, California, and my
11 property on the south side abutted the Santa Anita racetrack.
12 And so I have lived in a gambling neighborhood. I mean, we have
13 been affected by the traffic and all the other things that were
14 implicit in that.

15 We sure would not have wanted a casino in that
16 neighborhood, and they would have never, I'm confident would have
17 never gotten approval for that, if that is what had been
18 approved, if that is what they were requesting. They had gotten
19 approval, a long time ago, for a certain kind of betting
20 facility.

21 And so, you know, to expand it now, it is sort of -- it
22 can't be explained by the fact that the state has given approval
23 to this.

24 CHAIR JAMES: If you had to summarize what you think
25 you are hearing here, what would you say, Jim?

26 COMMISSIONER DOBSON: I would say I would like to see
27 this Commission recommend that horse racing not be expanded in
28 those facilities, the activity not be expanded to include
29 casino-type, or slot machine-type gambling.

1 COMMISSIONER BIBLE: I think I'm probably where John is
2 on the issue. It seems to me, at least, the track facilities are
3 places where people have historically gone to wager, and I'm not
4 overly concerned about the expansion of other forms of gambling
5 activity in those facilities.

6 I do have concerns about the expansion of the activity
7 into the home with the technology. I do have some concerns about
8 the expansion OTB, betting parlors, in addition to other forms of
9 gambling. The track itself I'm not overly concerned about it.

10 COMMISSIONER MOORE: I received a phone call yesterday
11 morning from a fellow in Mississippi, and talked to him about
12 horse racing. And he was concerned about there being casinos, I
13 mean slot machines and turning horse racing into casinos, and
14 things of that nature.

15 And I said, well, from all this talking, and I think
16 that I understand you to think that -- to say that you are
17 against interfering with horse racing? And he says, well no, he
18 says, except I would like to see it be acceptable but to go into
19 homes.

20 And I said, what? I said, I can tell you right now
21 that this Commission, I believe that we have already voted among
22 ourselves, and then in public, that probably Internet gaming
23 should be not allowed. And that is sort of what that is to me.

24 But if it had to come to choose one or the other, I
25 would say that we do need to, I think we need to talk about how
26 we are going to control gaming, that is what this is about, about
27 the expansion of gaming, the rapid expansion.

28 And I don't know whether we want to turn into a big
29 Monte Carlo or not. But I believe that we should sort of control
30 the gaming going into horse racing. I definitely believe if we

1 had to choose, I believe, between Bill and John on that, I
2 definitely think that we should control it not going into homes,
3 electronic devices and things.

4 COMMISSIONER DOBSON: May I ask, for clarification,
5 what is your position on the issue that is on the table, with
6 regard to --

7 COMMISSIONER MOORE: If I had to vote, I would vote not
8 to expand horse racing facilities into casinos. That would be a
9 simple way to say it.

10 CHAIR JAMES: Adding slot machines?

11 COMMISSIONER MOORE: Most of them want slot machines, I
12 don't think that they want --

13 CHAIR JAMES: Let me tell you what I think I'm hearing,
14 and allow you to react to that. That if, in fact, a locality, or
15 if in fact a pari-mutuel facility, particularly horse racing,
16 wanted to include slot machines, or other forms of electronic
17 gambling, that it ought to be very clear to the public that what
18 they are doing is creating a casino, and a casino environment.

19 And that they should be prepared to accept whatever
20 that means, good and bad. There are those who believe that to
21 that extent we ought to make a recommendation that that not
22 happen, that that not occur.

23 I hear two sentiments out there.

24 COMMISSIONER BIBLE: And there would be some saying
25 that they are not concerned about it.

26 CHAIR JAMES: And some saying they are not concerned
27 about it.

28 COMMISSIONER MOORE: Well, to throw another one in, in
29 fact I guess we have in Mississippi, not just some legislators,
30 certainly you would want to have a local option.

1 COMMISSIONER LEONE: I think just two points. One is,
2 I think we more agreement about the using pari-mutuel betting as
3 an excuse for going further on in-home gambling. But I would
4 like to see if we could make a little more progress where we have
5 a disagreement.

6 And I buy the argument that if you told me I had to
7 support slot machines, and they could either be at the
8 Meadowlands, or they could be at my son's school, I would tell
9 you there is already a place for entertainment --

10 COMMISSIONER WILHELM: You are going further than the
11 bookstore now.

12 COMMISSIONER LEONE: I don't think that is an
13 irrelevant argument. But the reason I'm with Jim on this is as
14 follows. I think we are on a slippery slope. I would not be
15 surprised if a Commission that meets 20 years from now, if the
16 country doesn't slow this up, wouldn't be meeting about the
17 franchise wars between McGambling, and TGIF gambling, and that we
18 don't wind up with this permitted in enough locations so that it
19 becomes routine, and then it won't be Monte Carlo. I mean, it
20 will be something a lot more pervasive, and a lot more predatory,
21 I would argue, for the average people.

22 So I guess I come down, where I come down on this, not
23 because of a hostility to pari-mutuel betting, and not because I
24 don't think that the argument Bill and John made are not logical,
25 but because I think the tide that is running towards, well you
26 know, we've already got this, we might as well do this, or they
27 have this across the border, we have to have it to compete, or
28 the Canadians are getting all the money, so we really need one in
29 Detroit, or we are losing business.

1 Pretty soon the exceptionalism, which justified what
2 currently exists, becomes a joke. There is nothing exceptional
3 about it, and then it becomes illogical to oppose it anywhere.

4 And I do think, I feel strongly about this, and I think
5 this goes to the kind of the theme that I hope we have in our
6 report, the characterization that emerges from the initial
7 chapter, and the concluding chapter, and the summary, is that all
8 of us are troubled by the continued growth of gambling, we are
9 becoming a nation, increasingly, of gamblers.

10 We are troubled by it, as a minimum, because we don't
11 know enough, we don't collect enough information, we don't
12 understand enough. We have been unable to get enough
13 information.

14 And moving beyond it, we are troubled by the fact that
15 it is being rationalized by, you know, this is just, you know,
16 we've already got it, so let's go here. And I know we are a
17 couple of decades late, and a dollar short.

18 But that is why, while I understand what you are saying
19 that they already gamble there, I don't think that is a good
20 enough excuse.

21 CHAIR JAMES: Let me weigh on just for a second, and
22 then I will come back to you, Jim.

23 COMMISSIONER DOBSON: Okay.

24 CHAIR JAMES: One of the reasons that I would be
25 predisposed to agree with Jim and Dick on this one has to do with
26 the efficacy of our site visits.

27 I would have to say that I was not a big fan of that,
28 and going out. But having been to Del Mar, and looking at the
29 beauty of the athletes there, both the horses and those who ride
30 them, and the sport of kings, and seeing all of what is involved

1 in this particular sport, and sometimes I think we set that aside
2 and forget that it is not just gambling, but there is a sport
3 that is involved there, as well, and people have sort of set that
4 aside, and see it only as a means for gambling and wagering at
5 this point.

6 I think that there is some logic to thinking through, I
7 mean, I would enjoy going there just to watch the sport, separate
8 and apart from any gambling. And if you have to have wagering on
9 the sport, do you have to bring in the slot machines as well?

10 I mean, I think it changes the nature of it, I think it
11 changes the atmosphere, I think it changes a lot about what
12 happens there, and all gambling isn't equal in my eyes, and how
13 that happens, and what kind of environment it creates.

14 And looking at, I certainly cannot say to that
15 particular industry how they want to, necessarily, conduct their
16 business. But I do think that I have it well within my purview
17 to express a concern about what this would do to what they have
18 made a legitimate argument for, is a wonderful sport, and I would
19 hate to see what that does to that sport.

20 Jim?

21 COMMISSIONER DOBSON: I agree strongly with what you
22 say. I have a very good friend, in fact I was with him last
23 week, you know him too, who has raised horses, and has been in
24 the science, not just the sport, but the science of horse
25 breeding and so on.

26 And I would -- well, I've already said it, I'm not
27 going to repeat it, except to say that it is my understanding
28 that this Commission essentially came together, was motivated in
29 Congress, primarily, because of the proliferation of gambling
30 across the country.

1 Some people have referred to it as tantamount to what
2 they have in Georgia, called kudzu, where that vine is growing
3 over every green thing in that state, and gambling is spreading
4 like that across the country.

5 We have an opportunity here to make a statement about
6 that. This is one place, as Richard said, I think, to try to
7 stop it, or at least recommend that it be curtailed.

8 CHAIR JAMES: John?

9 COMMISSIONER WILHELM: I would associate myself with
10 your remarks, Kay, with respect to horse racing, and say no to
11 the -- but a significant statement of the pari-mutuel industry
12 that agrees with that description, and the conclusion, they don't
13 want to have slot machines or other forms of gambling at the
14 tracks.

15 I don't want to belabor that particular issue, but I do
16 want to comment to something that Richard said a moment ago, he
17 made a much broader point about what he said he hopes is the
18 theme of the report.

19 I have a little bit different view of what the theme of
20 the report ought to be, and it pertains to this issue, as well,
21 more broadly. I don't think it is radically different, but it is
22 somewhat different, because I share, as a citizen, I share some
23 of the concerns that I think everybody in the Commission shares
24 about the pell mell expansion of gambling in so many forms, to so
25 many places.

26 But I personally do not think that it is of any
27 particular utility, or relevance, for the Commission to attempt
28 to make sort of a micro level recommendations about whether this
29 form of gambling ought to go over there, or whether it ought to
30 go down there, or somewhere else.

1 I do think there is some logic in making
2 recommendations about gambling that has not yet overwhelmed us,
3 but could, like Internet gambling, particularly because of the
4 relationship to the home.

5 I do think there is some logic in making
6 recommendations that relate to convenience gambling, because it
7 is in my view a different type of gambling. But I think that the
8 theme, the broader theme of the report ought not be, you know,
9 there is too much gambling around, so people should stop
10 expanding gambling.

11 I think the theme of the report ought to be, here is
12 what we know about the implications of expanding gambling, and
13 here is what is not yet known, and needs to be looked at.

14 Because I believe that a sort of prohibitionist
15 mentality about gambling clearly is not going to work, I think
16 history demonstrates that. And I think that facts are extremely
17 important.

18 I believe that to the extent that this Commission in
19 its report, and in our call for future kinds of both information
20 and research to be made more broadly available, can make a
21 significant contribution to having states and localities make
22 more intelligent decisions about these things, or more -- let me
23 rephrase that, more informed decisions.

24 Because I agree with the proposition that a lot of
25 decisions are made at the state and local level that are not well
26 informed by information. I think that would be extremely useful,
27 and I would hope that is the theme as opposed to saying, you
28 know, there is too much of this, so let's not have this kind, and
29 that kind, and the other kind.

1 That is not going to get us anywhere. I think that and
2 50 cents will get us a cup of coffee, it will go in some shelf
3 somewhere, and nobody will ever think about it again.

4 Because those are just, really, at the end of the day,
5 matters of opinion. I do think that to the extent that we can
6 place the concrete facts about the implications of different
7 kinds of gambling, and the implications of the expansion of
8 gambling, and the information that is presently known about that,
9 that would be a significant contribution.

10 And to the extent that we can say, not remotely enough
11 is known, and that is a problem, and here is what ought to be
12 done about that, I think that is a contribution.

13 And I would much more prefer a theme of that kind than
14 some sort of kind of prohibitionist approach that in the end is
15 really only everybody's opinion, because we don't know enough.

16 COMMISSIONER LEONE: I actually just want to say that I
17 should have been more disciplined in my comments, because I think
18 it is probably a mistake for us to try to thresh out now the
19 over-arching themes that might be in our introduction or
20 conclusion, or the summary, because I think if we do that, we
21 will never get through the chapters.

22 So I know it is my fault for making a provocative
23 statement, and --

24 COMMISSIONER DOBSON: But I enjoy provocative
25 statements. That is what we are here for.

26 CHAIR JAMES: But at the appropriate time.

27 COMMISSIONER LEONE: -- get through these chapters, and
28 them maybe return to this.

29 COMMISSIONER BIBLE: But if you get into every chapter,
30 you are going to get into the overriding theme.

1 COMMISSIONER LEONE: Yes, well, that is part of my --
2 (General laughter.)

3 CHAIR JAMES: You have to love it.

4 COMMISSIONER LEONE: It is a slippery slope.

5 COMMISSIONER WILHELM: And I might add, he is very good
6 at it.

7 CHAIR JAMES: You only have seven minutes left, by the
8 way, John before lunch. You have seven minutes left.

9 COMMISSIONER WILHELM: For what?

10 CHAIR JAMES: Because we have not had one meeting where
11 --

12 (General laughter.)

13 COMMISSIONER BIBLE: I don't think that is a record,
14 because we started later. First time before lunch.

15 COMMISSIONER DOBSON: There is another recommendation
16 that I would like to see us make.

17 CHAIR JAMES: Well, can we summarize that last
18 discussion?

19 COMMISSIONER DOBSON: Okay.

20 CHAIR JAMES: Just the last and then -- it seems to me,
21 in looking at what John is going to take out of this discussion,
22 that -- and please object if I'm not -- I know you will; that
23 there was a strong sentiment that, you know, against the
24 expansion of casino type gambling, and racetracks.

25 However, if a community or a facility decides to do
26 that, it should be clear that that is exactly what they are
27 doing, something along those lines. And not make a
28 recommendation as to whether they should or shouldn't.

29 Does that accurately --

1 COMMISSIONER BIBLE: Well, it is kind of a variety of
2 sentiment within the Commission as to the use of racetrack
3 facilities for other forms of gambling. And I think you are
4 going to find, if you structure the recommendation, you are going
5 to find unanimity in terms of moving that activity into the home.

6 CHAIR JAMES: Yes. But that was not a recommendation,
7 that was just a comment on how the discussion went this morning.
8 We are not recommending anything.

9 COMMISSIONER BIBLE: Well, but he is going to have to
10 write some --

11 CHAIR JAMES: Yes, but we are going to tell him what
12 the recommendation -- the only recommendation I have heard thus
13 far is the expansion into the home.

14 COMMISSIONER DOBSON: No, that is not what I said.

15 CHAIR JAMES: You want a recommendation?

16 COMMISSIONER DOBSON: Yes. John, to use your term, a
17 prohibitionist approach. We don't have the power to prohibit
18 anything, because we have no force in law in what we do,
19 obviously.

20 But I think that we will be rather wimpy in the end of
21 this thing if we don't take a position on some of the things we
22 have seen, and we have learned, and found from the research and
23 the other things, the testimony, and this is one where I don't
24 think we necessarily have to have a consensus, or unanimity on
25 everything that comes out of this Commission.

26 I think some of these things ought to come down to a
27 vote, when we have to come to that point, but this is one of
28 them.

1 CHAIR JAMES: Yes, what we are trying to do is identify
2 these areas where this is going to happen. So far this is the
3 first one I have heard this morning.

4 COMMISSIONER BIBLE: And if you get to a vote
5 situation, how does that get translated into the report? Does it
6 get translated into four members, five members of the Commission
7 believe that, and four members --

8 COMMISSIONER DOBSON: Every other Commission I have
9 been on the majority has dictated how the report would be listed,
10 and --

11 CHAIR JAMES: Okay, let's set that aside and --

12 COMMISSIONER DOBSON: -- people disagree they can write
13 a minority report, or a statement. In fact, you know --

14 CHAIR JAMES: Well, let's set that aside and mark that
15 as an area of disagreement that we will figure out how to resolve
16 as we work through it.

17 COMMISSIONER BIBLE: But I think there is going to be
18 some general agreement in this area. I think there is going to
19 be agreement in terms of expansion into home wagering.

20 CHAIR JAMES: No, he is only marking this area about
21 expansion of casino-type gambling in pari-mutuel establishments.

22 COMMISSIONER BIBLE: Well, then I would be even
23 narrower than pari-mutuel establishments. I would narrow it
24 simply to the track, just to the track, because I don't think it
25 is appropriate to, likewise, expand it into OTB areas, which does
26 have some -- in states like New York.

27 CHAIR JAMES: So that is an area of disagreement that
28 we have identified, and we will set it over here, and figure out
29 what we want to do with it, okay?

1 COMMISSIONER DOBSON: Do you agree that we should not
2 necessarily try to recommend only the things that we have
3 unanimity on? I hope that is not where we are headed.

4 CHAIR JAMES: No, no. We will just figure out how to
5 do that.

6 COMMISSIONER WILHELM: A point of clarification on what
7 was meant by Bill and others in talking about a potential
8 recommendation or a consensus against use or expanding, with
9 respect to both OTB type things, and also with respect to home
10 wagering.

11 I know that when the, and you would know this history
12 better than me, Bill. If I have it wrong please correct me. It
13 is my impression that the federal law prohibiting legal sports
14 gambling grandfathered in the four states in which it is legal,
15 although two of them don't practice it, as I understand it.

16 As I understand it there are a number of states that
17 have OTB parlors already, and there are I believe eight states
18 that have some sort of account betting, which can be from the
19 home, I believe. It is not as I understand it, home television
20 style, but nevertheless you can bet from your home in eight
21 states, I think it is.

22 So when you were talking about expanding, were you
23 talking about a consensus, or a potential recommendation that
24 says there shouldn't be any more of this, or are you actually
25 talking about roll-backs?

26 COMMISSIONER BIBLE: Well, let me, it is kind of a
27 complicated question. The federal law, the Anti-Sports Wagering
28 Act, or the -- I guess it is the Amateur Sports Protection Act,
29 does not apply to racing activity.

1 COMMISSIONER WILHELM: I know that. I was making a
2 comparison.

3 COMMISSIONER BIBLE: So we are simply talking about
4 racing activity. Now the state of the federal law is that you
5 can do common pool wagering for horses between states that
6 authorize it and have legal pari-mutuel wagering activities, so
7 you can make a bet from New York into California and vice versa,
8 because they are legal jurisdictions. You cannot make a wager
9 from Utah into New York, because it is not a legal jurisdiction.

10 OTB which we were talking about, really takes two forms
11 and two iterations. In the state of California you have
12 off-track betting parlors at county fairs, which holds
13 agricultural meets and hold racing meets, so they actually run
14 meets, there is a physical track. You have OTB activities in
15 other states, like New York, where you actually have a betting
16 parlor that is not at the site of the track.

17 I can see a consensus in terms of a recommendation in
18 terms of -- well, where I come down is I'm not offended by
19 gambling activities at a track, that is a historical place where
20 gambling has occurred. I am concerned about gambling activities
21 at an OTB station, for instance in New York, turn that little OTB
22 parlor into a slot arcade.

23 Louisiana has a similar availability of OTB stations
24 that, you know, because there is no physical presence of a track.
25 So, you know, those facilities not be allowed to expand with
26 other forms of gambling, convenience gambling right in the
27 neighborhood. People don't have to journey to them, because they
28 are within the neighborhood environment.

1 COMMISSIONER WILHELM: I see. You were arguing that
2 other forms of gambling should not be layered onto the OTB -- I
3 got you.

4 COMMISSIONER BIBLE: Unless there is a site --

5 CHAIR JAMES: Unless there is a what, Bill?

6 COMMISSIONER BIBLE: The site is on a track. If the
7 OTB facility is at a track, you can go to one of the agricultural
8 fairs in California, one of the agricultural tracks like -- I'm
9 trying to think of the ones up in northern California, Big
10 Meadows is not an agricultural track, but Big Meadows, or the
11 fairgrounds, and you can make a wager into another track, but you
12 are at a facility that offers horse racing in terms of the
13 immediate -- and in terms of the wagering activity.

14 COMMISSIONER WILHELM: And then what were you
15 suggesting with respect to home betting, or account wagering?

16 COMMISSIONER BIBLE: Well, account wagering I haven't
17 really completely sorted through how you handle those items. I'm
18 concerned about it because account wagering is very difficult to
19 control because you don't know when the account is established as
20 to who is establishing the account. You have some problems with
21 probably adolescents and --

22 CHAIR JAMES: But then I hear you express some serious
23 concern --

24 COMMISSIONER BIBLE: Yes, I do have concerns about
25 account wagering.

26 COMMISSIONER WILHELM: If it is okay, Kay, can I just
27 ask Mr. Hickey or somebody else, how many states permit account
28 wagering now?

29 AUDIENCE MEMBER: There are eight.

1 COMMISSIONER WILHELM: So I guess my question is, just
2 for our future consideration, is --

3 COMMISSIONER BIBLE: And those eight vary as to whether
4 they allow intra-state, or inter-state, there is a distinction
5 there, also.

6 AUDIENCE MEMBER: And some, for example New York, it is
7 done by the State Agency, it has been done for over twenty years.

8 COMMISSIONER WILHELM: As a practical matter I don't
9 see any future in recommendations in trying to get rid of what
10 exists. I would suggest we distinguish between what exists and
11 what, you know, expansions of those opportunities in the rest of
12 the country.

13 The only thing I was saying about sports betting is
14 that there was a grandfather approach taken there. I understand
15 it is a different issue.

16 COMMISSIONER BIBLE: And I would restrict the
17 technology. I think I heard Richard talk about restricting the
18 technology. And when you restrict the technology you have
19 crippled the gambling industry, it seems if you indicate they
20 can't use computers to do the services ten years ago, you had to
21 use an abacus, the industry would be dead today.

22 COMMISSIONER DOBSON: For the record, I would favor a
23 rollback.

24 CHAIR JAMES: You know, I see several layers of what
25 we, as a Commission, will be able to do. Some will be
26 recommendations, some will be conclusions that we are drawing
27 based on the research data that is in. And then the other area
28 is concerns. We may feel we don't have the data to support it,
29 for whatever reasons, but based on our observations, and based

1 on, you know, some of the things that we have seen, we may have
2 concerns.

3 So I want to make the distinction about that. As an
4 example, in looking at account wagering, I don't think it is
5 inappropriate to say that there may be some -- that the
6 Commission expressed some concerns about, and make a statement
7 following that, without making a specific recommendation.

8 So that we can go on the record as having a very
9 strong, or very serious concerns. There will be the areas,
10 however, where we make a recommendation. And part of what has to
11 happen is as we go through this, we have to identify the areas
12 that we can't come to any consensus on, and that we need to
13 debate, and take to a full vote and decide how we handle them.

14 So I don't want anybody to feel frustrated, as we go
15 through this, because we are going to turn up those areas where
16 we cannot reach consensus, and then we have to decide what to do
17 with them.

18 COMMISSIONER BIBLE: And when we do that, how will the
19 minority viewpoint be reflected in the report.

20 CHAIR JAMES: And how will the minority viewpoint be
21 reflected. And there are several different ways that that can
22 happen, and we just want to delay that discussion until the end.

23 I think when you get people that have a -- I want to
24 get a struggle with it a little bit before we jump to we will put
25 that in our minority report. Let's struggle with it to see if we
26 can reach consensus. And if we can't, at the end of the process,
27 then we will deal with that.

28 COMMISSIONER LEONE: I think that is right. We should
29 be trying to convince each other before we decide, well, I know
30 what I'm going to say, so I will --

1 COMMISSIONER BIBLE: But at some point he is going to
2 have to start drafting, and it should depend upon what he drafts.

3 COMMISSIONER DOBSON: May I also just clarify? There
4 is a difference between a minority report where a certain number
5 of people go together and write something that is counter to what
6 the majority wants.

7 There is also the mechanism that occurred on the
8 pornography Commission where each person was asked to write a
9 two-page reaction to the whole effort. And you can put anything
10 in it that you want, unedited.

11 CHAIR JAMES: And we used that format in another
12 Commission that I served on, and it was very helpful. But I
13 really don't want to have that discussion right now.

14 COMMISSIONER WILHELM: Notwithstanding that definition,
15 if I had to pick today between those two approaches, I would
16 prefer the statement approach to the minority report approach,
17 myself.

18 But I think Kay and Richard you are absolutely right.
19 I think we should force ourselves to try to agree with as much as
20 we can agree upon, because it is very easy not to agree.

21 CHAIR JAMES: It is.

22 COMMISSIONER WILHELM: The simplest thing in the world.

23 CHAIR JAMES: And as long as you are insisting upon
24 having this discussion I might as well tell you what my
25 preference would be, and that would be to be a statement instead
26 of a minority report by each individual Commissioner, and the
27 reason for that is that I don't think anymore than you can get
28 consensus from the majority on everything could you get consensus
29 from a minority on everything.

30 COMMISSIONER BIBLE: Well, that is true.

1 CHAIR JAMES: And so there are going to be so many
2 crosses where -- I mean, there is no minority, no block of
3 individuals that share a common set of objections, even.

4 And so I really would prefer to have us struggle a
5 little bit and figure out what we are going to do at the end.

6 Having said that, John, would you summarize where you
7 think we are right now?

8 COMMISSIONER DOBSON: I never got that one short --

9 CHAIR JAMES: You didn't, and I apologize. Please go
10 ahead.

11 COMMISSIONER DOBSON: I, having again lived in a
12 neighborhood with pari-mutuel betting, I would like to see us
13 recommend that children under 21 not be allowed in those
14 facilities.

15 COMMISSIONER WILHELM: I would support that.

16 CHAIR JAMES: I would not have a problem with that at
17 all.

18 COMMISSIONER BIBLE: In the facility, or not making the
19 wager.

20 CHAIR JAMES: In the facility.

21 COMMISSIONER DOBSON: In the facility.

22 COMMISSIONER WILHELM: I'm sorry, I wouldn't support
23 that. I would certainly support the wagering issue.

24 CHAIR JAMES: I don't know enough about how that works.
25 Is it separated so that you have to go to a different location --

26 COMMISSIONER BIBLE: Typically you have a betting
27 window that you have to go to and make your wager.

28 COMMISSIONER DOBSON: In the vicinity of where kids
29 are, teenagers, anyway.

30 CHAIR JAMES: That is a sport for adults.

1 COMMISSIONER BIBLE: Watching the race? Betting I
2 clearly agree with you, there should be restriction on the
3 wagering itself. Do you mean the activity?

4 CHAIR JAMES: But that exists, doesn't it?

5 COMMISSIONER BIBLE: So you wouldn't have children
6 being able to even look at a horse race, they could watch it on
7 TV but they couldn't watch it at the track?

8 COMMISSIONER DOBSON: I don't really know what the
9 practice is across the country. I would like to know whether or
10 not betting is permitted for those under 21.

11 COMMISSIONER BIBLE: That is typically the case. I
12 believe if you take a look, the AGA had a summary chart in terms
13 of age laws that you are going to find in pari-mutuel activities,
14 that a lot of states allow you to make wagers at 18, 18 and
15 above.

16 CHAIR JAMES: Would you, well let's start with what I
17 think we concluded. Would you agree on no bets below 21?

18 COMMISSIONER BIBLE: I would agree with that.

19 CHAIR JAMES: Well, let's start there, and then go from
20 that to 21 to be --

21 COMMISSIONER DOBSON: Again, this comes out of my own
22 experience. But the -- one of the fun things to do in the high
23 schools in that area was to ditch a day and have a group of kids
24 spend that day at the track, and that bothers me a great deal.

25 COMMISSIONER BIBLE: Well, I don't know, that is so
26 broad. You are talking about an activity that is televised, you
27 are talking about an activity where you have 4-H is involved, the
28 county fair activities where there is some pari-mutuel wagering.
29 I cannot support that, that just seems to me to be kind of
30 overboard.

1 CHAIR JAMES: Would you support no school age children
2 being allowed in the premises during school hours?

3 COMMISSIONER BIBLE: I hadn't thought about that issue.

4 CHAIR JAMES: Let's start there and --

5 COMMISSIONER BIBLE: How do you police that, though?

6 CHAIR JAMES: Well, there are truancy laws already that
7 exist --

8 COMMISSIONER BIBLE: Well, say you have a 4-H activity
9 and you are out at the track showing your sheep or something.

10 COMMISSIONER WILHELM: Which is very common.

11 COMMISSIONER BIBLE: Which is very common. Well, I
12 would have to think about it. I don't think you are going to
13 pick me up on that one.

14 CHAIR JAMES: Jim, do you want to --

15 COMMISSIONER DOBSON: Obviously this is one of those
16 issues where we have to simply say where is the majority of the
17 Commission.

18 CHAIR JAMES: Well, I want you to make your best
19 argument, because you may be able to get him.

20 COMMISSIONER BIBLE: Not on this one.

21 CHAIR JAMES: So I have identified two areas, this is
22 the second one. Do you want to weigh in on this one, John?

23 COMMISSIONER LEONE: I just think that John, he should
24 probably, when he summarizes include the things -- I don't mean
25 right this minute, necessarily to be that inclusive, but when you
26 do this include the things where there was no unanimity, but
27 indicate some Commissioners were interested in a recommendation
28 in the following form.

29 And then when we come, when we get to the, you know, to
30 the serious business, we are missing three people, and in really

1 trying to see where the people are, we don't have to reintroduce
2 all these points.

3 CHAIR JAMES: Well, what I'm trying to do, just so you
4 know, is identify these issues, and then they will be agenda
5 items for discussion, and perhaps even vote. And I have
6 identified two so far. So these issues are not getting lost,
7 they are being set aside, as they are identified.

8 Valerie, can I ask you as a staff person to be responsible for taking these
9 down, and identifying these issues so that we will have a
10 complete list?

11 John, summarize it, won't you?

12 DR. SHOSKY: First, that this chapter should include
13 horses, dogs, and Jai Alai. Second, that the two major issues,
14 broadly, that need to be discussed are technology issues and the
15 issue entitled keeping up with the Joneses.

16 And from that we segue into, I think, a consensus
17 recommendation that gambling should not be expanded into the
18 home.

19 CHAIR JAMES: Do you all want to make sure you are
20 catching this, because if you don't --

21 COMMISSIONER BIBLE: I'm listening.

22 DR. SHOSKY: There was some discussion about the issue
23 concerning whether or not we should let this die a natural death.
24 And my guess is that there needs to be some discussion about that
25 in the chapter.

26 COMMISSIONER BIBLE: Well, that issue is whether you
27 let it die a natural death, or whether you strangle it by not
28 allowing it to use technology, not allowing people to use rubber
29 to make tires.

1 CHAIR JAMES: I'm not sure I want to hear that language
2 in the report.

3 COMMISSIONER LEONE: I think that everybody in this
4 Commission agrees that permitting gambling is an exception to the
5 general rule. Nobody in this Commission that I have heard, there
6 are plenty of people who may feel this way, but I haven't heard
7 anyone on this Commission say there should be no restrictions on
8 gambling. Everybody says there should be some restrictions on
9 gambling.

10 In each case where the restrictions are relaxed there
11 is an argument that people have found compelling. Some more than
12 others, but people have found it compelling.

13 The point I was making about this, I would put it this
14 way, I don't think that the argument that the pari-mutuel
15 business is suffering economically justifies an additional
16 exception for them for other forms of gambling on those
17 locations.

18 That is my personal view, that has to do with my larger
19 view that I expressed about willy nilly more exceptions, and
20 where we are headed. And I think that is all I was saying.

21 And I think everybody would agree with the first part,
22 on the second part people are going to say, no this is an
23 exception that really justifies it.

24 COMMISSIONER BIBLE: I misinterpreted it, because I
25 thought I heard that you wanted to restrict their access to some
26 of the technology that is available.

27 COMMISSIONER LEONE: No, that was in the context, I
28 thought, of whether we were going to talk generally about more
29 ability to gamble from home. And I presume that is in the
30 Internet chapter.

1 COMMISSIONER BIBLE: In terms of that particular --
2 Internet, probably in the home chapter, here you are talking
3 about it in a different context, you are talking about also in
4 the terms of the use of telephonic communications, not on the
5 Internet communications.

6 CHAIR JAMES: Correct. John?

7 DR. SHOSKY: Some Commissioners urged that there should
8 not be slot machines at race tracks. If the state decides to
9 introduce slot machines at race tracks, then as a public policy
10 issue and discussion they should fess up to what it is that they
11 are doing, and admit that what they are creating are legalized
12 casinos.

13 CHAIR JAMES: And I'm sure that your wordsmithing will
14 make it far more eloquent than that.

15 COMMISSIONER BIBLE: And I have to believe that is
16 going on, currently. I think most of the interest groups are
17 involved in fighting the expansion of gaming are pretty aware of
18 those activities. I have seen enough of these campaigns like in
19 Maryland, where it is local, and in Virginia.

20 CHAIR JAMES: I don't know if I would agree with that.
21 John?

22 DR. SHOSKY: Again, there are comments about
23 convenience gambling which I will put in the convenience gambling
24 discussion.

25 There are comments about the theme of the report, which
26 I will wait for another time. Then there are comments about what
27 I have just loosely labeled study, that as you indicated, at the
28 end Madam Chair, that there are places where we will have
29 findings about what we know and what we don't know.

1 And one of the things that we have to highlight, and
2 evidently give presumption, or heavy weight to, are the things
3 that we don't know, and specifically identify what those things
4 are, in this chapter and elsewhere.

5 More discussion about not turning off- track facilities
6 into casinos. And then there was the final issue that we just
7 talked about, where there seems to be consensus that in terms of
8 wagering people who are under 21 should not be allowed to wager
9 at race tracks.

10 There are some Commissioners who are interested in
11 restricting access to race tracks by people who are under 21.

12 COMMISSIONER BIBLE: How will we use some of the data
13 that we have under the NORC survey? Because if I remember the
14 data there was an element in terms of pathological gamblers that
15 they indicated is much higher incidence of patrons to race
16 tracks. And I have asked Dr. Kelly for the cross-tabs so we can
17 take a look and maybe see if that has any relevance to the --

18 CHAIR JAMES: And if it does it should appear in --

19 COMMISSIONER BIBLE: It should appear in the various
20 functional chapters.

21 CHAIR JAMES: Well, one of the questions that I have,
22 as we talk about the overall structure, is the use of charts, and
23 the use of data, and information throughout the body of the
24 report.

25 COMMISSIONER WILHELM: I would just point out that my
26 recollection is that that data is from the patron survey, and I
27 think somewhere, I think it is crystal clear that there is not
28 enough of a sample to reach that conclusion.

29 DR. KELLY: Madam Chair, I concur with that. I believe
30 the number was 24 patrons, and so I agree with that point.

1 COMMISSIONER BIBLE: How about control points, did we
2 pick people for race track activity?

3 DR. KELLY: I don't remember whether the telephone
4 survey included those who were classified as pathological
5 gamblers who claimed to gamble only at race tracks. I don't
6 recall.

7 COMMISSIONER BIBLE: In any case we are going to get
8 all the cross tabs?

9 DR. KELLY: Yes, today.

10 CHAIR JAMES: Good. Okay.

11 COMMISSIONER WILHELM: Let the record reflect that I
12 didn't take -- notwithstanding your seven minute offer, I'm going
13 to make it all the way to lunch.

14 CHAIR JAMES: I just don't feel right calling for
15 lunch, so I will do it for you. We have to protect jobs.

16 Having said that, I'm going to see if we can come back
17 together, instead of 1:15, if we can make it 1:30 for lunch.